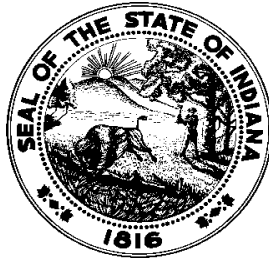


LOCAL GOVERNMENT TAX CONTROL BOARD



RECOMMENDATIONS

TO

DEPARTMENT OF LOCAL GOVERNMENT FINANCE

FROM

OCTOBER 28, 2004

Call To Order

James Riehle called the October 28th, 2004 Local Government Tax Control Board meeting to order at 9:00am.

Attendance

The following Board Members attended the meeting: James Riehle, Bob Harris, Stan Mettler and Richard Eckerle. Lisa Acobert was absent.

Discussion

Rich motioned to have it included in the minutes of what a good job Judy Robertson has done in preparing the information for the Board to review in preparation for holding a meeting. Stan seconded the motion and all the Board Members agreed.

Recommendation

Rich motioned to recommend approval of the minutes from the September 23rd meeting. Stan seconded and the motion carried 4-0.

City of Lawrence, Marion County General Obligation Bonds

The unit is requesting approval to issue general obligation bonds in the aggregate amount of \$5,000,000 for a term of twenty-one (21) years. Proceeds of the bonds will be used for road improvements. The City anticipates using funds from the Local Road and Street Fund (LR&S) and the Motor Vehicle Highway Fund (MVH) to pay debt service on the bonds. The City is requesting property tax backup approval for this issue. The anticipated tax rate, if sufficient LR&S and MVH funding is not available, is .0321 based on an assessed value of \$1,374,295,770 and an annual levy of \$441,700. The Common Construction Wage hearing was held October 27th, 2004 and passed with a 4-0 vote. This is an uncontrolled project.

Taxpayer Objections:

A Public Hearing was held on October 4th, 2004. Since this is a property tax backup issue, there was no Notice of Determination published.

Attendance

The following people attended the meeting: Rebecca Fuller (Controller), Gary Vandegriff (Director of Public Works), Greg Guerrettaz (Financial Advisor) and Dave Arrensen (Bond Counsel with Baker & Daniels).

Discussion

The issues they present today is dealing with traffic and street projects. There has been a lot of construction and development in the City and that is affecting their infrastructure. The traffic issues are the result of Ft. Benjamin Harrison becoming a part of the City and no longer functioning as a military base. That area has become a black hole connecting two rural areas. There has been a lot of new development in that area and they are working to establish district zones. The potential revenue from developing the area will offset the costs of the bonds.

Questions by the Board:

James: Did the City Counsel approve your plans?

Answer: Yes, unanimously.

James: Has there been any public comments?

Answer: None against this project. No one stood up at any of the meetings to comment.

James: Will you need to acquire any land?

Answer: Only one right-of-way and that is with an industrial park. We have already begun negotiations. The property owner is an advocate of the project and the agreement will be for the mutual benefit of all of us.

Greg Guerrettaz then discussed the importance of making this a property tax backup issuance and the commitment to set aside the funds to have the coverage necessary to make the bond payments out of revenues other than property taxes. They are going to use Motor Vehicle & Highway (MVH) and Local Road & Street (LR&S) funds to cover the bond payments.

Bob: What are the revenues currently coming in?

Answer: From MVH they are receiving \$865,000 per year and \$560,000 for LR&S.

Bob: Looking at your current debt situation, it appears that you are over your 2% debt limitation. You already have several debt issues you are making payments on.

Answer: This is the only debt issue we have, the others on that list is related to the Park and they have their own separate 2% debt limitations.

Stan: Do your MVH and LR&S funds have tax rates on them?

Answer: No, neither one. The main sources of revenue for those two funds are the Wheel Tax and other federal distributions.

Recommendation

Stan motioned to recommend approval to issue general obligation bonds in the amount of \$5,00,000. Rich seconded and the motion carried 4-0.

**Town of Cumberland, Hancock & Marion Counties
General Obligation Bonds**

The unit is requesting approval to issue general obligation bonds in the amount of \$1,250,000 for a term not to exceed twenty (20) years. Proceeds of the bonds will be used to fund the reconstruction and improvements to certain streets, sidewalks, and trails within the Town. The anticipated tax rate is estimated to be .0507 based on an assessed value of \$216,832,185 and an annual levy of \$110,000. The Common Construction Wage is not applicable because all of the projects, except two, will be let by the Indiana Dept. of Transportation. The two independent projects are both under \$150,000. This is an uncontrolled project.

Taxpayer Objections:

Public hearings were held July 7th and August 4th, 2004. The Notice of Determination was published July 16th, 2004. The Marion County Auditor certified No Remonstrance on August 10th, and the Hancock County Auditor certified No Remonstrance on August 16th, 2004.

Attendance

The following people attended the meeting: Gregory T. Guerrettaz (Financial Advisor), Jeff Sheridan (Town Manager), Rick Hall (Bond Counsel), Kay Dashley (Clerk Treasurer), and Ron Sullivan (Council President).

Discussion

This project is central to the future of the Town. It is directly related to the way that people are going to move through the Town – both pedestrian and vehicular. A pedestrian trail will be constructed that will link to the Indianapolis project. Every effort is being made to turn the present road into a National & Historic road. The road will be three miles long with a connecting link to the trail. They received a \$1.8 million federal grant in 2001 that was used to begin the street and trail project. 101st Street, which is 21st street in Indianapolis, will be expanded to include sidewalks and a new bridge to replace the current bridge. The National Road overlay will be for two miles along U.S. 40. It will be for commercial zoning with ordinances to connect to the trail. They are requesting a property tax rate. They are going to leverage one dollar of levy and will match it with one dollar of non-property tax revenues. Their match is going to be 50/50 instead of the usual 80/20 or 90/10.

Questions by the Board:

James: What has been the public response?

Answer: Very supportive, they are chomping at the bit to use the trail.

Rich: Will it be a walking and bicycle trail only, or will it have a waterway also?

Answer: Walking and biking only. It will not be connected to a water route. They are going to build an interceptor line under the trail.

James: Will you need to acquire land?

Answer: Yes, one tract. We are in negotiations with Penske right now to acquire the land.

James: Is your population growing?

Answer: Yes; in 1988 our population was 3,000, now it is closer to 6,000.

Recommendation

Stan motioned to recommend approval to issue general obligation bonds in the amount of \$1,250,000. Rich seconded and the motion carried 4-0.

Town of Cumberland, Hancock & Marion Counties Excessive Levy Appeal(s): Annexation, Consolidation, or Extension of Services

The unit is requesting approval of an appeal in the amount of \$545,023.

2005 Max Levy	\$ 729,230
Total Levy with Appeal	\$1,274,253
Advertised Levy	\$2,165,457
The unit shows a need of	\$ 545,023
Unit's Operating Balance	\$
Unit's 2005 Budget	\$

Maximum levy unit can qualify for **\$545,023** based on advertisement.

Attendance

The following people attended the meeting: Gregory T. Guerrettaz (Financial Advisor), Jeff Sheridan (Town Manager), Rick Hall (Bond Counsel), Kay Dashley (Clerk Treasurer), and Ron Sullivan (Council President).

Discussion

The unit was not aware that they would be discussing the appeal today also. They asked if a notice was sent out. Judy pulled the file and showed them the notice that went out and the contact person and address that was used. They did not have the information on the appeal with them, but they would try to answer any questions the Board had.

Questions by the Board:

Stan: What part is being annexed?

Answer: Only the part in Hancock County; they cannot annex in Marion because of Uni-Gov.

James: Has this land already been annexed?

Answer: Yes.

Stan: When did the annexations occur?

Answer: Before March 1st of this year and last year.

Stan: How much of an area was annexed? The amount of the appeal seems high.

Answer: The Town Planner projected out the expenses that will be needed to cover the growth. They were mandated by the State to hold their growth because of their outdated sewer plant. Now that the sewer system has been updated, the growth is starting to boom.

Rich: How many acres are included in the annexations?

Answer: Not sure, they do not have that info with them – approximately 500.

Bob: If you were to guess, when do expect the build-out time frame?

Answer: Three to five years.

Stan: How many police officers, firefighters and Admin staff are included in your plan?

Answer: Police officers and firefighters are the two biggest line items. Additional admin staff will be needed as well. They have already had to convert the Town Planner position from part-time to full-time in order to keep up with the needs.

Bob: I know this is being picky, but your appeal request is for \$545,023 and you advertised \$545,021, a difference of \$2, but we cannot approve an amount above what you advertised.

Answer: They understand and it is not a problem.

Stan: My only concern is that the amount still seems high. You will not need this full amount for another three to five years.

Answer: It is a dilemma. The statute does not allow a phase-in over several years and it does not allow you to appeal for the same annexation more than once. We have to include all the expenses we feel will be needed over the build-out period.

Recommendation

Bob motioned to recommend approval of an annexation excessive levy appeal in the amount of \$545,021. Rich seconded and the motion carried 3-1. Stan opposed the motion.

Union Township, Shelby County Fire Equipment, Building, and Apparatus Loan

The unit is requesting approval to obtain a fire loan in the amount of \$20,000 for a term not to exceed one (1) year. Proceeds of the bonds will be used to match a grant given to the Manilla Volunteer Fire Department for the purpose of building a new fire station and community building. The anticipated tax rate is estimated to be .0420 based on an assessed value of \$54,022,580 and an annual levy of \$22,729. This is an uncontrolled project because the total project costs is less than \$2,000,000. The Common Construction Wage hearing is not applicable because of the terms of the grant received from the Community Focus Program.

Taxpayer Objections:

The date of publication for a Public Hearing was August 31st, 2004. A Public Hearings was held September 17th, 2004. The date of publication for the Notice of Determination was September 18th, 2004. The Auditor certified No Remonstrance on October 27th, 2004.

Attendance

The following people attended the meeting: Dwain Laird (Consultant).

Discussion

The Fire Department serves both Union and Walker Townships. They are requesting approval to obtain loans in order to help the Manilla Fire Department to build a new fire station with a community center. Neither township has anything like a community center, so they are excited about the concept of having one. The Fire Department has already received a grant to help them build the station. They then approached both townships requesting help for additional funding to match the grant and finish the project.

Questions by the Board:

Stan: Who will have ownership of the building?

Answer: The Manilla Fire Department – they have entered into a lease for 99 years.

Bob: Is this an independent fire department?

Answer: Yes. The two townships are going into debt but the independent fire station will have ownership of the building.

Stan: The name of the Townships must be part of the deed if they are contributing funds to the building of it. The fire department will own 5/6 and each township will own 1/6, if the total amount of construction is \$300,000.

Answer: I will take care of the deed issue, whatever needs to be done.

Recommendation

Stan motioned to recommend approval of a fire loan in the amount of \$20,000 for a term not to exceed one (1) year. Rich seconded and the motion carried 4-0.

Morgan County Public Library, Morgan County General Obligation Bonds

The unit is requesting approval to issue general obligation bonds in the amount of \$1,000,000 for a term not to exceed six (6) years. Proceeds of the bonds will be used to correct drainage problems, repair water-damaged areas, modify parking lot, and purchase real estate. The anticipated tax rate is estimated to be .0126 based on an assessed value of \$2,300,000,000 and an

annual levy of \$290,000. This is an uncontrolled project. The Common Construction Wage hearing was held on October 6th, 2004 and passed with a 5-0 vote.

Taxpayer Objections:

Public Hearings were held August 22nd and September 27th, 2004. Since this is an uncontrolled project, no Notice of Determination was published.

Attendance

The following people attended the meeting: Dan Kramer (Financial Advisor), Jennifer Bell (Financial Advisor), Jane Herndon (Bond Counsel with Ice Miller), David Ross (Library Director), Terry Lancer (InterDesign), and Joel Blum (InterDesign).

Discussion

Basically, their project is directed to cover issues that should not wait. They need to take care of flooding problems that have been allowed to go on too long already. They have spent the last year talking to architects and developing a plan. The second part of the bond issue is for land acquisition. This is a part of their long-range plan to purchase three lots, which will be used to construct additional parking space.

At the end of this year, the existing \$1.7 million previous bond issue will be off the books and a \$1 million bond issue will go on. The tax impact should be less than in previous years.

Questions by the Board:

James: Does your old building need a lot of repairs?

Answer Yes, it did, but we are almost through the process.

James: When was the current building constructed?

Answer: In 1908 and we plan to have all the repairs done by 2008 to celebrate 100 years.

Bob: Did you advertise high enough in your 2005 budget to cover the new debt issue?

Answer: Yes, we kept a debt fund in the budget and the current debt will be paid off in December of this year.

Stan: Are all three lots adjacent to the library?

Answer: One of them is, the other two are across the street, but we will need the have that alternative parking in order to make the whole project work.

Recommendation

Rich motioned to recommend approval to issue general obligation bonds in the amount of \$1,000,000 with a term not to exceed six (6) years. Stan seconded and the motion carried 4-0.

**Walker Township, Rush County
Fire Equipment, Building, and Apparatus Loan**

The unit is requesting approval to obtain a fire in the amount of \$50,000 for a term not to exceed six (6) years. Proceeds of the bonds will be used to match a grant given to the Manilla Volunteer Fire Department for the purpose of building a new fire station and community building. The anticipated tax rate is estimated to be .0199 based on an assessed value of \$43,127,910 and an annual levy of \$8,751. This is an uncontrolled project because the total project costs is less than \$2,000,000. The Common Construction Wage hearing is not applicable because of the terms of the grant received from the Community Focus Program.

Taxpayer Objections:

The date of publication for a public hearing was September 3rd, 2004. A Public hearing was held September 13th, 2004. The Notice of Determination was published September 21st, 2004. The Auditor certified No Remonstrance on October 26th, 2004.

Attendance

The following people attended the meeting: Dwain Laird (Consultant).

Discussion

See discussion for Union Township, Shelby County. These two units are jointly funding the building of a new fire station and community center.

Recommendation

Stan motioned to recommend approval of a fire loan in the amount of \$50,000. Rich seconded and the motion carried 4-0.

**Pike Township, Marion County
Emergency Fire Loan**

The unit is requesting approval to obtain a township emergency fire loan in the amount of \$3,500,000 for a term of two (2) years in order to finance its Fire Protection Budget for 2004. The anticipated tax rate is .0352 based on an assessed fire valuation of \$4,827,391,130 and an annual levy of \$1,700,000.

Per the following emergency loan calculation, the unit shows a need of:

January 1, 2004 Cash Balance	\$741,352
Plus: 2004 Certified Tax Levy	\$9,036,876
Plus: Estimated 2004 Revenues	<u>\$1,510,540</u>
Total Funds Available 2004	\$11,288,768
Less: Encumbered Appropriations	\$0
Less: Estimated 2004 Expenditures	\$14,701,836
Funds Remaining/Emergency Loan Requirement	(\$3,413,068)

Taxpayer Objections:

The date of publication for a public hearing was August 27th, 2004. A public hearing was held September 7th, 2004. The Notice of Determination was published September 10th, 2004. The Auditor certified No Remonstrance on October 14th, 2004.

Attendance

The following people attended the meeting: Lula M. Patton (Trustee) and Michael A. Claytor (Financial Advisor with Crowe Chizek).

Discussion

They had originally appeared before this Board in August but their advertising had been messed up and they had to start over. Pike Township is a growing area in Marion County. It has become very urban with a lot of new development. The maximum levy growth factor is not able to keep up with the actual growth in the Township and to provide the necessary funding for firefighting services. They have now been through all the hearings and adopted a resolution. The only question remaining is a one or two year retention term. Bob's question in August was concerning the double affect of a debt issue, plus the impact of an excessive levy appeal, plus another emergency borrowing loan that will be requested for next year.

Questions by the Board:

Bob: The effect of all of these requests is going to be \$3,500,000 today plus a \$470,000 appeal, plus half of a payment next year, plus another \$1,500,000 emergency borrowing request next year?

Answer: Yes.

Bob: Would you rather bite the bullet now and have this year's emergency loan request be for one year, or do you still want it for two years and have a huge increase next year?

Answer: We would like it to be for one year because we are also in the process of building a new fire station.

James: What has been the public response?

Answer: None – the only citizens who attended the public hearing were firefighters and they were all in support.

Recommendation

Bob motioned to recommend approval of a lease in the amount of \$3,500,000. Rich seconded and the motion carried 4-0.

**Town of Rosedale, Parke County
Public Works Project Loan**

The township is requesting approval of a public works project loan in the amount of \$40,000. Proceeds of the loan will be used to pay a vendor hired to clear streets of trees and debris. The anticipated tax rate is estimated to be .0847 bases on an assessed value of \$8,461,730 and an annual levy of \$7,171. The Common Construction Wage is not applicable. This is an uncontrolled project.

Taxpayer Objections

The Date of Publication for a public meeting was August 11th 2004. A Public hearing was held on August 24th, 2004. The Notice of Determination was published September 1st, 2004. The Auditor certified No Remonstrance on October 4th, 2004.

Attendance

The following people attended the meeting: Adrienne Robinson (Clerk Treasurer) and Kathy Raver (Financial Advisor with H.J. Umbaugh).

Discussion

They are here today to request a debt service fund. In 2003, a tornado hit their Town and it was declared a disaster area. FEMA paid about 75% of the clean-up costs. All but one vendor wrote off the other 25% owed to them by the Town. One vendor has a balance of approximately \$30,000 due and we do not have the funds to pay the balance.

Questions by the Board:

Bob: Did you advertise a debt fund with your 2005 budget?

Answer: Yes, in anticipation of being approved.

James: When did the tornado hit?

Answer: In July of 2003.

Recommendation

Stan motioned to recommend approval of a Public Works Loan in the amount of \$40,000. Rich seconded and the motion carried 4-0.

**City of Terre Haute, Vigo County
Special Taxing District Bonds**

The unit is requesting approval to issue Sanitary District bonds in the amount of \$15,500,000 for a term not to exceed twenty (20) years. Proceeds of the loan will be used for the purpose of constructing various sewer improvements throughout the district. The anticipated tax rate is

\$.0794 based on an assessed value of \$2,646,511,690 and an annual levy of \$2,100,316. The Common Construction Wage Meeting was held on October 6th, 2004 and passed with a 5-0 vote. This is a controlled project.

Taxpayer Objections

A public hearing was held on August 16th, 2004. The Notice of Determination was published September 3rd, 2004. The Auditor certified No Remonstrance on October 5th, 2004.

Attendance

The following people attended the meeting: Lynn Francis (Attorney), Troy Swan (Environmental Engineer), Gary Malone (Financial Advisor with HJ Umbaugh), Chris Hintz (Financial Advisor with HJ Umbaugh), Rhonda Cook (Bond Counsel with Ice Miller), Lisa A. Lee (Bond Counsel with Ice Miller) and Pattie Zelmer (Bond Counsel with Ice Miller).

Discussion

This project is consistent with others that have been completed. It includes sewer extensions and various other sewer system improvements.

Questions by the Board:

James: Any comments at your public hearings?

Answer: No opposition at any of the meetings – held by the Town or by the Sanitary District.

Stan: What is your current debt limitation under the twelve percent?

Answer: A little in excess of \$105,000,000 – as reported on the hearing information sheet.

James: What is the length of the project?

Answer:

Recommendation

Rich motioned to recommend approval to issue bonds in the amount of \$15,500,00 for a term not to exceed twenty (20) years. Stan seconded and the motion carried 4-0.

Taylor Township, Harrison County Emergency Fire Loan

The unit is requesting approval to obtain a township emergency fire loan in the amount of \$2,000 for a term of one (1) year in order to finance its Fire Protection Budget for 2004. The anticipated tax rate is .0075 based on an assessed fire valuation of \$23,848,205 and an annual levy of \$1,800.

Per the following emergency loan calculation, the unit shows a need of:

January 1, 2004 Cash Balance	\$1,580
Plus: 2004 Certified Tax Levy	\$715
Plus: Estimated 2004 Revenues	<u>\$187</u>
Total Funds Available 2004	\$2,482
Less: Encumbered Appropriations	\$0
Less: Estimated 2004 Expenditures	\$2,700
Funds Remaining	(\$218)

Emergency Loan Requirement	\$218
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The unit advertised a budget of	\$2,700
The fiscal body adopted	\$2,700
The DLGF certified	\$2,700
Unit's Operating Balance	\$ 635

Taxpayer Objections:

The date of publication for a public hearing was July 28th, 2004. A public hearing was held August 15th, 2004. The Notice of Determination was published August 25th, 2004. The Auditor certified No Remonstrance on October 6th, 2004.

Attendance

The following people attended the meeting: No one.

Discussion

The Trustee is going through Chemotherapy and could not be here today.

Bob: The emergency loan calculation does not show a need. There must be some information missing.

Recommendation

Bob motioned to recommend approval of an emergency fire loan in the amount of \$2,000. Rich seconded and the motion carried 4-0.

Taylor Township, Harrison County Emergency Poor Relief Loan

The unit is requesting approval to obtain a township emergency fire loan in the amount of \$5,000 for a term of one (1) year in order to finance its Fire Protection Budget for 2004. The anticipated tax rate is .0187 based on an assessed fire valuation of \$23,848,205 and an annual levy of \$5,500.

Per the following emergency loan calculation, the unit shows a need of:

January 1, 2004 Cash Balance	\$5,007
Plus: 2004 Certified Tax Levy	\$596
Plus: Estimated 2004 Revenues	\$157
Total Funds Available 2004	\$5,760
Less: Encumbered Appropriations	\$0
Less: Estimated 2004 Expenditures	\$3800
Funds Remaining	\$1,960

Emergency Loan Requirement	\$0
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The unit advertised a budget of	\$3,800
The fiscal body adopted	\$3,800
The DLGF certified	\$3,800
Unit's Operating Balance	\$ 398

Taxpayer Objections:

The date of publication for a public hearing was July 28th, 2004. A public hearing was held August 15th, 2004. The Notice of Determination was published August 25th, 2004. The Auditor certified No Remonstrance on October 6th, 2004.

Attendance

The following people attended the meeting: No one.

Discussion

The Township was able to receive a loan from the County, so this request does not need to be addressed.

Recommendation

None.

Whiskey Run Fire Protection District, Crawford County Fire Equipment, Building, and Apparatus Loan

The unit is requesting approval to obtain a fire loan in the amount of \$250,000 for a term not to exceed six (6) years. Proceeds of the loan will be used to purchase a new pumper truck to replace a 1981 model that is old and unreliable. The anticipated tax rate is .1221 based on an assessed value of \$38,1141,095 and an annual levy of \$46,540. This is an uncontrolled project. The Common Construction Wage is not applicable since no construction is being undertaken.

Taxpayer Objections

The Date of Publication for a public hearing was February 18th, 2004. A Public Hearings was held on March 3rd, 2004. The Notice of Determination was published March 31st, 2004. The Auditor Certified No Remonstrance on May 11th, 2004.

Attendance

The following people attended the meeting: Ramsey Vance (Purchasing Officer), William Booth (Board Chairman), Jason Dooley (Board Member) and Mark Grew (Fire Chief).

Discussion

They are looking to buy a Class A Pumper to replace an old 1981 model. It will be a first-line pumper. The current 1986 model will be rotated and used as a back-up vehicle. They have not put out bids yet. The amount of money being requested will not only purchase the truck, but equip it as well. It will be able to carry foam as well as 1000 gallons of water. They serve both Whiskey Run and Mill Town. The water capacity will triple their current capacity. The truck will be designed to have a crew cab also. They do as many mutual aid runs and they do in their own township.

Questions by the Board:

James: Judy, did you receive a response from the Fire Marshall's office?

Answer: Yes, and he verified that the equipment and costs were reasonable.

Bob: Do you have any current debt?

Answer: No.

Bob: Did you advertise a debt payment in the 05 budget?

Answer: Yes, a debt service rate was included.

James: What is the population you serve?

Answer: In the town, the population is 1,000, there is an additional 2500-3000 in the Township. It is forty square miles of coverage.

Bob: Is there any taxpayer problems - this will double their rate.

Answer: They have advertised it and had two public hearings with no one showing up from the community.

Stan: Why did you choose six years for repayment of the loan?

Answer: Because that is the maximum time allowed and they wanted to keep the impact as low as possible.

Bob: They qualify for the fifteen-year maximum because of their assessed value. If they advertised it correctly, they could have spread the loan over fifteen years instead of six.

Answer: We were not aware there was that provision. We advertised for just six years.

Recommendation

Bob motioned to recommend approval of a fire loan in the amount of \$250,000 not to exceed fifteen years. Stan seconded and the motion carried 4-0.

City of Portage, Porter County Park District Bonds

The unit is requesting approval to issue park district bonds in the amount of \$3,600,000. Proceeds of the bonds will be used to finance park improvement construction, acquisition of park equipment, and land acquisition affecting eleven parks and one trail. The anticipated tax rate is .0329 based on an assessed value of \$1,441,682,000 and an annual levy of \$474,200.

Taxpayer Objections

The Date of Publication for a public hearing was September 24th, 2004. A public hearing was held October 5th, 2004. The Notice of Determination was published (no information given). The Auditor Certified No Remonstrance on (no information given).

Attendance

The following people attended the meeting: Gloria Nystrom (Park Department), Mark Sulski (Park Department Director), Karl Cender (Financial Advisor with Cender & Co.), Lisa A. Lee (Bond Counsel with Ice Miller), Rhonda Cook (Bond Counsel with Ice Miller) and Bonnie Coleman (Hodges Davis – Local Counsel).

Discussion

They are here seeking approval for a \$3,600,000 bond issuance. The need is for park improvements. They have built up a strong park and recreation facility in the last thirty years, but now they need to finish projects and improve some of the older facilities. Most of the parks have reached an unacceptable safety level. There is also an issue of deteriorating roads that need to be repaired – they also are verging on being unsafe. They are in the process of establishing a master plan that will allow them to keep the parks up to date and not allow them to get in the shape they are in now.

They have held two open public meetings in the last month. There has been no opposition. They began this project in 1998 and are looking forward to starting the project.

Questions by the Board:

James: Was there neglect in the maintenance of the facilities?

Answer: No, not really – just equipment becoming outdated after thirty years.

James: Did the Council approve the plans?

Answer: Yes.

Rich: Are you going to do a general overhaul of all the parks?

Answer: Yes, there are currently nine neighborhood parks that need equipment replaced. They to update the kitchen area's in all park buildings and install lighting in several of the parks, including soccer fields, etc. They have four major parks that need improvements as well.

Bob: Is the Park Department a part of the City's budget?

Answer: Yes.

Stan: Does the Park Department extend beyond the City limit?

Answer: No – it has the same assessed value.

Recommendation

Rich motioned to recommend approval to issue park district bonds in the amount of \$3,600,000. Bob seconded and the motion carried 4-0.

Portage Township, Porter County Emergency Borrowing

The unit is seeking approval to borrow funds in the amount of \$110,000 for a term of five (5) years. Proceeds of the loan will be used to purchase land for the purpose of future development. The anticipated tax rate is (.0013) based on an assessed value of \$1,454,042,305 and an annual levy of \$19,320. The Common Construction Wage is not applicable.

Taxpayer Objections

The Date of Publication for a public hearing was July 27th, 2004. A Public Hearing was held August 10th, 2004. The Notice of Determination was published August 16th, 2004. The Auditor Certified No Remonstrance on September 20th, 2004.

Attendance

The following people attended the meeting: Kathy Smith (Chief Deputy), Eva Cloyd (Bookkeeper) and Jack Jent (Trustee).

Discussion

They have the opportunity to purchase three acres next to the Senior Center for future development. They have a need to provide facilities for disabled senior citizens. This would bring them up to about eleven acres. Also, the purchase of this land would allow them to construct a second egress into the Senior Center facility.

There followed a discussion on whether the purchase of land qualifies under IC 36-9-41 as being a Public Works Project. The code cite, in part, says "...for the construction of...". There will

need to be a legal interpretation as to whether the purchase of land is included in the intent of this code.

Questions by the Board:

James: Did you have the advise of your attorney to petition for this project?

Answer: Yes.

Recommendation

Stan motioned to recommend approval of Public Works Project loan in the amount of \$110,000 subject to legal interpretation. Bob seconded and the motion carried 4-0.

Smithfield Township, DeKalb County Fire Equipment, Building, and Apparatus Loan

The unit is requesting approval to obtain a fire loan in the amount of \$6,432 for a term of three (3) years. Proceeds of the loan will be used to match a FEMA grant received for the purpose of purchasing a new fire tanker truck. The anticipated tax rate is .0045 based on an assessed value of \$51,000,000 and an annual levy of \$2,317. This is an uncontrolled project. The Common Construction Wage hearing is not applicable.

Taxpayer Objections

The Date of Publication for a public hearing was July 26th, 2004. A Public Hearing was held August 5th, 2004. The Notice of Determination was published August 16th, 2004. The Auditor Certified No Remonstrance on September 17th, 2004.

Attendance

The following people attended the meeting: No one.

Discussion

Bob said he had no problem with the paperwork and that everything looked okay.

Recommendation

Bob motioned to recommend approval of a fire equipment loan in the amount of \$6,432 for a term of three (3) years. Rich seconded and the motion carried 4-0.

Kendallville Public Library, Noble County Lease

The unit is requesting approval to enter into a lease agreement in the amount of \$7,880,000 with maximum annual lease payments of \$675,000 for a term not to exceed twenty-two (22) years. Proceeds of the bonds will be used to construct a new 35,000 sq. ft. Library facility to replace the current building, which is too small to serve the public needs. The anticipated tax rate is .0730 based on an assessed value of \$878,983,252 and an annual levy of \$641,250. This is a controlled project. The Common Construction Wage hearing was held on August 5th, 2004 and passed with a 5-0 vote.

The resolution and all advertising quoted an amount not to exceed \$4,200,000.

Taxpayer Objections

The Date of Publication for a public hearing was March 23rd, 2004. A Public Hearing was held on April 13th, 2004. The Notice of Determination was published April 22nd, 2004. The Remonstrance period ended May 22nd, 2004.

Attendance

The following people attended the meeting: Jenny Draper (Director), John C. Thrapp (Board Attorney), Norma Jane Rhea (President, Board of Trustees), Todd Samuelson (Financial Advisor with HJ Umbaugh), Steven L. Park (Moake Park Group) and Kurt Bachman (Attorney with Beers, Maller, Backs & Salin).

Discussion

They began in 2000 to develop a long-range plan. They formed a focus group to determine what their future needs are. They formed two groups in during 2001 and both groups arrived at the same conclusion. Their biggest need is space. They completed a feasibility study to decide whether to build on to their present facility or to build a new one, what all the options were and what would best meet their needs. They also mailed out a public survey. The results of that survey indicated that the major issues were space and parking. The cost of renovation and an addition was about 83% of the cost of building a new library building. The site selection committee was formed to find new sites. The only requirement was it had to be within the City Limits. They narrowed the choices down to three and then chose the Bixler Lake cite. The City Council then deeded the land over to the Library and they can take possession of it once the old abandoned hospital sitting on it has been demolished. Only one person has spoken in opposition of the project and that was during the last meeting. In all the other meetings, there has been no opposition. They serve a population of about 17,000. Of that population, 68% have current library cards, plus 2,000 that have reciprocal borrowing agreements.

There was a petition/remonstrance filed in the Auditor's office, but the signatures could not be verified. None of the correct procedures were followed in the obtaining of signatures, nor by the Auditor's office to verify the procedure. Therefore, the remonstrance was not valid. The Library

Board rejected the petition via a resolution, per the correct procedures. The Auditor mistakenly certified a remonstrance. There were 189 signatures on the original petition, but they were not verified. Taxpayers have had other opportunities to speak out against the project since the signing of the original petition. The Library Board did not think it necessary to hold up this project on the basis of 189 unverifiable petitioners when the project is so necessary.

Questions by the Board:

Bob: What date was the petition filed?

Answer: May 3rd – 12th, 2004. We are aware of the concerns addressed in the petition and we are addressing them.

James: Do you still have some who opposes the project?

Answer: Yes, some.

Stan: What is your current size?

Answer: About 18,000 sq. ft.

Stan: So you are going to double your size?

Answer: Yes, though part of that square footage is an unfinished basement that will be used for future needs.

Bob: Just as an FYI – the code cite gives another chance for a petition/remonstrance period.

Stan: What is the total tax rate for the County?

Answer: Do not know what the County's rate is.

Stan: How much new construction is there in Noble County – what has been the average growth?

Answer: There has been substantial commercial and distributors within the City itself.

Stan: With the increase in size, will your operating balance support the increase in utility expenses, and more staffing requirements?

Answer: With the new design, no new staff will be needed. The City is going to do the mowing and snow removal for the Library and the maintenance of the parking lot. They are not expecting a huge increase in utility costs because of the increased efficiency of new equipment.

Recommendation

Stan motioned to recommend approval of a lease in the amount of \$7,880,000 with maximum annual lease payments not to exceed \$675,000 for a term not to exceed twenty-two (22) years.

Bob seconded and the motion carried 4-0.

Gary Public Library, Lake County Lease

The unit is requesting approval to enter into a lease with SBC in the amount of \$121,900 per year for three (3) years. Proceeds of the lease will be used to provide new computers for Internet accessibility. The anticipated tax rate is .0063 based on an assessed value of \$1,941,109,453 and an annual levy of \$121,900. This is an uncontrolled project. The Common Construction Wage is not applicable.

Taxpayer Objections

The Date of Publication for a public hearing was August 19th, 2004. The Auditor certified No Remonstrance on October 7th, 2004.

Attendance

The following people attended the meeting: Kenneth Sak (Director).

Discussion

He is requesting approval of a debt service fund outside the maximum levy for the leasing of seventy computers and the maintenance of them for three years. For the 2005 budget, he has budgeted for one hundred and fifty computers.

Questions by the Board:

Stan: Is this an operating lease or a lease to own?

Answer: It is an operating lease because we did not want to purchase them. This will allow us to upgrade the computers on a consistent basis.

James: How many facilities to you operate?

Answer: Five plus the main office.

There was a general discussion about whether this project qualifies under the lease code cite. The general consensus is that in order to qualify, the library must own the computers at the end of the lease period. Ken then said he would do that if that is what it takes to qualify for the lease.

Recommendation

Stan motioned to recommend approval of a lease in the amount of \$121,900 for a term of three years provided the lease agreement has a purchase option included in it. Rich seconded and the motion carried 4-0.

Town of Munster, Lake County General Obligation Bonds

The unit is requesting approval to issue general obligation bonds in the amount of \$1,900,000. The anticipated tax rate is .0311 based on an assessed value of \$1,527,121,081 and an annual levy of \$492,409. The Common Construction Wage hearing was held September 27th, 2004 and passed with a 3-0 vote.

Taxpayer Objections

No information has been received concerning publications, hearings, and certification.

Attendance

The following people attended the meeting: Tom DeGiulio (Town Manager) and Jane Herndon (Bond Counsel with Ice Miller).

Discussion

They are requesting a \$1,900,000 four-year retirement bond for municipal improvements. The projects include traffic light upgrades, street widening and improvements, facility improvements including replacing the roof and trusses that have reached their useful life. All of the projects have been planned for some time. They expect to finish them all of them within the next two years. The widening and cleaning up is to complete prior projects. The long-range plan is to build an underpass to deal with major backups when a train comes through. The tracks split the Town in half.

Questions by the Board:

Rich: Any opposition from taxpayers?

Answer: Not on this issue.

Stan: Why \$1.9 million – are you trying to keep it under \$2 million?

Answer: Partly and the other reason is because these are all the projects that we can put in the hopper.

Recommendation

Rich motioned to recommend approval to issue general obligation bonds in the amount of \$1,900,000. Stan seconded and the motion carried 4-0.

**Town of Schererville, Lake County
Park District General Obligation Bonds**

The unit is requesting approval to issue general obligation bonds in the amount of \$1,900,000 for a term not to exceed twenty-two (22) years. Proceeds of the bonds will be used to reimburse the Town's Utility for the purchase of land for the eventual development of a new public park and recreation center. The anticipated tax rate is .0089 based on an assessed value of \$1,381,753,965 and an annual levy of \$123,354. This is an uncontrolled project.

Taxpayer Objections

The Date of Publication for a public hearing was September 17th, 2004. A Public Hearing was held on September 27th, 2004. The Notice of Determination was published September 23rd, 2004. The Certified No Remonstrance on October 15th, 2004.

Attendance

The following people attended the meeting: Janice M. Malinowski (Clerk Treasurer), Robert Volkmann, Shawn Pettit and David Austgen (Attorney).

Discussion

They are beginning the process of building a recreation center. The current property owner is in downtown Schererville and approached them to see if they were interested in purchasing the property. It is one of the biggest tracts and will more than meet their needs. It bodes well with the Park & Recreation master plan. It is right downtown and beside a golf course. The plan is to raze the current building and construct a new Recreation Center with multi-purpose functions.

Questions by the Board:

James: How many acres is the tract?

Answer: 2.9 acres. There is currently a banquet facility on the property that is obsolete, originally built in 1960. An old swimming pool has already been demolished on the site years ago. They surveyed the people to see what they felt there was a need for and what they would like to see built on the property. The response was for a recreation facility.

Bob: Are all of the debt issues listed in the hearing information sheet leases?

Answer: No – only the ones for buildings; all the others are bond issues.

Our population has increased from 5500 in 1980 to over 30,000.

Stan: Was there a lot of negotiation done for the \$1,900,000 price in the downtown area?

Answer: Not much, it is a very good price.

Bob: Is the Park's assessed value the same as the Town's?

Answer: Yes.

Rich: Has there been a lot of publicity and has there been any opposition?

Answer: There has been very little opposition – only two people spoke out against it. There has been no remonstrance. The only concern brought up is with the timing of the project in relation to reassessment and property tax delays.

James: Did the Town Council support the project?

Answer: Yes, unanimously. We are talking about a one-cent tax increase. The population is rapidly growing and the amount of quality land is declining just as rapidly.

Recommendation

Bob motioned to recommend approval to issue Park District general obligation bonds in the amount of \$1,900,000 for a term not to exceed twenty-two (22) years. Rich seconded and the motion carried 4-0.

Town of Dyer, Lake County General Obligation Bonds

The unit is requesting approval to issue general obligation bonds in the amount of \$2,000,000. Proceeds of the bonds will be used to rebuild roads, purchase a dump truck with snow removal equipment, a backhoe, a bucket truck, and a hot tar/crack sealer machine. The anticipated tax rate is .0986 based on an assessed value of \$723,162,500 and an annual levy of \$712,862. This is an uncontrolled project. The Common Construction Wage is applicable, but no information has been received yet.

Taxpayer Objections

The Notice of Determination was published September 27th, 2004. The Auditor Certified No Remonstrance on October 18th, 2004.

Attendance

The following people attended the meeting: David Austgen (Attorney) Pattie Zelmer (Bond Counsel with Ice Miller), Tom Hoffman (Clerk Treasurer) and John Julien (Financial Advisor with HJ Umbaugh).

Discussion

Their request is primarily for a road replacement project. They are rapidly growing and the road is urgently in need of replacement. They have added 330 acres through an annexation and is road in that area is in need of constant maintenance. The traffic is constantly growing due to new developments. They need to install traffic lights in several intersections and re-work one of the intersections to bring it into alignment. Another project is to purchase capital equipment.

They would like to purchase a lift truck with a bucket in order to maintain streetlights. They need to replace an old, unsafe snow removal truck and a new backhoe to replace an old one. The Town's desire is to begin repayments in 2005 with a five-year retirement plan. It will reduce annual payments and interests to begin payments in 2005. They are working with a "one-dig" philosophy, meaning that they want to improve the utilities first, and then improve the road.

Questions by the Board:

Bob: The debt service you have listed on the hearing information sheet – is this for this request?
Answer: Yes.

Stan: You have an estimated interest rate of 3.25% - do you think that is reasonable?
Answer: Yes, I think so.

Recommendation

Stan motioned to recommend approval to issue general obligation bonds in the amount of \$2,000,000. Rich seconded and the motion carried 4-0.

Town of Shipshewana, LaGrange County General Obligation Bonds

The unit is requesting approval to issue general obligation bonds in the amount of \$975,000. Proceeds of the bonds will be used to upgrade and extend the storm water system. The anticipated tax rate is .2144 based on an assessed value of \$30,641,220 and an annual levy of \$65,050. This is an uncontrolled project. The Common Construction Wage hearing was held July 22nd, 2004 and passed with a 5-0 vote.

Taxpayer Objections

The Date of Publication for a public hearing was (cannot read), 2004. A Public Hearing was held on September 23rd, 2004. The Notice of Determination was published July 9th, 2004. The Remonstrance period ended July 24th, 2004.

Attendance

The following people attended the meeting: Kurt Bachman (Bond Counsel with Beers Mallers Backs and Salin), Roger Yoder (Town Council President), Andy Dodzik (Town Engineer), Arlene Lazzaro (Storm Water Board President), Ruth Ann Downey (Clerk Treasurer) and Gregory T. Guerrettaz (Financial Advisor).

Discussion

This project entails the development of an initial storm drainage system in one area of the Town. We could attract potential retailers to the area if we correct the drainage and sewer system. In

addition to this new construction project, there is a refunding of the 1992 series bond issue. They received their 1782 Notice this week and can verify that they are under the 2% debt limitation.

Questions by the Board:

Stan: Is this a storm and sewer separation project?

Answer: No, just sewer. We do not have any combined systems.

Stan: On the refinancing issue, how many years are left on the series and what was the original interest rate?

Answer: Per the hearing information sheet, there is four years left.

Bob: The refinancing part to not need approval from this Board. It is handled internally within the DLGF.

Recommendation

Rich motioned to recommend approval to issue general obligation bonds in the amount of \$975,000. Bob seconded and the motion carried 4-0.

Allen County Unit, Allen County General Obligation Bridge Bonds

The unit is requesting approval to issue general obligation bonds in the amount of \$8,300,000. Proceeds of the bonds will be used to repair and construct bridges in Allen County. The anticipated tax rate is .0089 based on an assessed value of \$14,211,493,429 and an annual levy of \$1,261,532. This is a controlled project. The Common Construction Wage hearing was held August 16th, 2004 but no information has been received yet.

Taxpayer Objections

The Date of Publication for a public hearing was August 2nd, 2004. A Public Hearing was held on August 17th, 2004. The Notice of Determination was published (Unknown), 2004. The Auditor certified No Remonstrance on September 20th, 2004.

Attendance

The following people attended the meeting: Linda K. Bloom (County Commissioner), William Fishing (Attorney) and Phil Gutman (Financial Advisor).

Discussion

They need to build and/or repair twenty-nine bridges in Allen County. They have the most bridges in their County with 336. They have not bonded since 1996. The twenty-nine chosen

were the worst one's discovered during the last inspection. There has been no remonstrance or opposition.

Questions by the Board:

Rich: Do you have a Cumulative Bridge fund?

Answer: They used to, but the rate was transferred to other funds. They have a Cumulative Major Bridge Fund, but none of these twenty-nine qualify as a major bridge.

Rich: Does the County Commissioners and Council support the plan?

Answer: Yes, except for one Council member. The Councilman thought that the City should take care of their own bridges.

Bob: Your 2% debt limitation is \$96,000,000. Of the debt service you have listed in the hearing information sheet, how much is still outstanding?

Answer: About \$60,000,000.

Stan: What is the expected life expectancy of a bridge?

Answer: It is different based on a lot of factors, but an average is about twenty years.

Stan: Are you going to have to close any bridges if they are not repaired?

Answer: Only one and they were able to lower the tonnage and it should be okay now. They were going to close one permanently but when the people knew what they were going to do, they came out in support of the project.

Recommendation

Stan motioned to recommend approval to issue bridge general obligation bonds in the amount of \$8,300,000. Rich seconded and the motion carried 4-0.
